

1 BEFORE THE
2 DEPARTMENT OF ENVIRONMENTAL QUALITY
3 LAND QUALITY DIVISION

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5
6 DEQ LAND QUALITY DIVISION ADVISORY BOARD MEETING
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9 TRANSCRIPT OF PROCEEDINGS

10 9:25 A.M.

11 APRIL 21, 2008

12 PURSUANT TO PUBLIC NOTICE given to all parties in
13 interest, this matter came on for hearing in the
14 Hearing Room at the Oil and Gas Commission building,
2211 King Boulevard, Casper, Wyoming.

15 LQD STAFF IN ATTENDANCE:

16 DONALD R. MCKENZIE, ADMINISTRATOR
17 CRAIG HULTS

18 BOARD MEMBERS IN ATTENDANCE:

19 ALAN LINFORD, VICE-CHAIRMAN
20 CARL R. DEMSHAR, JR.
21 ROBERT GREEN
22 JOE SLATTERY

23 * * *

24 Rebecca S. Doby
25 Registered Professional Reporter
2334 Main Street
Torrington, WY 82240
(307) 532-4817

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1 P R O C E E D I N G S

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3 MR. LINFORD: I apologize for not starting

4 on time. We've been waiting for Jim. Apparently
5 he's not coming.

6 So I'll call this meeting to order.

7 The first item on the agenda is
8 introductions. In this big room here, if you will
9 please speak loudly, so that the recorder here can get
10 everything down.

11 We'll start over here, with Carl.

12 MR. DEMSHAR: I am Carl Demshar. And I'm
13 from Rock Springs, Wyoming. And I'm the public
14 representative on the board.

15 MR. LINFORD: My name is Alan Linford. I'm
16 from Star Valley. And I am the political
17 representative.

18 MR. GREEN: My name is Bob Green. I'm from
19 Gillette. And I'm the industry representative.

20 MR. SLATTERY: I'm Joe Slattery, from Pine
21 Haven. I'm the agricultural representative.

22 MR. MCKENZIE: Don McKenzie, Administrator
23 for the Land Quality DEQ.

24 MR. HULTS: Craig Hults, Land Quality
25 Division in Cheyenne.

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1 MR. GIRARDIN: Joe Girardin, Environmental
2 Quality Council.

3 MR. GLOE: Harv Gloe, Office of Surface
4 Mining, Casper.

5 MR. FLEISCHMAN: Jeff Fleischman, Office of
6 Surface Mining, Casper.

7 MS. TORSKE: Jamie Torske, Thunder Basin
8 Coal.

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9 MR. LIEDTKE: Roy Liedtke, Cordero Rojo
10 Mine.

11 MR. GRANT: Matt Grant, Wyoming Mining
12 Association.

13 MS. ANDERSON: Shannon Anderson, with the
14 Powder River Resource Council.

15 MS. SCHLADWEILER: Brenda Schladweiler, BKS
16 Environmental Association.

17 MR. LINFORD: Okay. Thank you.

18 The next item on the agenda is the approval
19 of the minutes of January 7th. Well, I've got December
20 11th.

21 MR. MCKENZIE: I'll have to change that,
22 Alan. Should be for January 7th.

23 MR. LINFORD: Okay. Any changes that
24 you -- have you got copies of the minutes? Any
25 changes?

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1 (Whereupon, there was a brief pause in
2 the proceedings.)

3 MR. LINFORD: A motion, then, to approve?

4 MR. GREEN: So move.

5 MR. LINFORD: It's been moved.

6 Is there a second?

7 MR. DEMSHAR: Second.

8 MR. LINFORD: It's been seconded that we
9 approve the minutes of January 7th.

10 All in favor.

11 (Whereupon, all voting members said
12 "aye".)

13 MR. LINFORD: Motion carried.
14 Item No. 3 on the agenda, Rule Package 1-Y.
15 I'll turn it over to Don, or to Craig.
16 MR. MCKENZIE: Craig?
17 MR. HULTS: Yes.
18 MR. MCKENZIE: Can we go ahead and start
19 the presentation?
20 MR. HULTS: Sure. I put together a little
21 Power Point, just to run through. It's a pretty
22 small package. But I wanted to give you some kind of
23 introduction.
24 This package is drafted to address five
25 deficiencies that the OSM had labeled with our program.

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1 There is four actual kind of categories that these were
2 drafted together.
3 The deficiencies came through a 732 letter,
4 which is the OSM's review of our program if they either
5 revise the rules, if the conditions change that there
6 are new rules needed to support say new technologies or
7 something on the ground that's different. They also do
8 it if it's no longer meeting the requirements of SMCRA,
9 which is probably the case here.
10 These letters were drafted back in 1985, '88
11 and 1990. So these deficiencies have been on the books
12 for quite some time now.
13 The 732 process -- I just kind of wanted to
14 give you a little history of that. I know we have some
15 new board members.
16 The OSM will review the program once one of
17 those changes is made, whether it be OSM has revised

18 their rules or there's been a change to SMCRA. And
19 what they will do is go through pretty much line by
20 line and check our regs to see which are less effective
21 or not as stringent as SMCRA.

22 The State is informed of these deficiencies,
23 and that is the 732 letter that they send out.

24 The State is given a chance to respond either
25 informally or formally at that point. Typically

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1 they're given about 60 days to respond.

2 At that point, it may be that the State is
3 required to amend its actual program. In some cases
4 they can work things out or point to a different area
5 of our rules that may address their concern.

6 In these five instances we didn't have that.
7 So it was requiring a rule change. And at that point
8 we initiate the rule-making process which brings us
9 here today.

10 we would go through the (inaudible) again.
11 The second stage of this is the public meetings. And
12 once that is finalized by the Governor and signed into
13 effect, those rules are submitted then to OSM for a
14 final approval.

15 Once those are approved -- if they are
16 approved -- the deficiencies would be removed. They
17 are oftentimes codified either in the CFR or just in
18 the 732 letter.

19 And so that's kind of what brought us here
20 today with these five deficiencies.

21 we'll go through a quick summary of the

22 changes. The first one, what we are required to do is
23 have a telephone number of the applicant, or an
24 operator, if they are different from the applicant.

25 It should be a fairly easy fix. In the

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1 actual Rule Package I added it to any kind of business
2 interests that are associated with the application,
3 just to make sure we got everybody in there.

4 The second change we had was the
5 confidentiality of application materials. Now, this
6 specifically related to lands that were under
7 protection of the Archaeological Resources Protection
8 Act.

9 The way this has been designed is -- or the
10 way that it was written was to include many of the
11 procedures that were already there, but just start
12 identifying them and clarifying that these procedures
13 were there already. This will allow -- it's through
14 practice and procedure through the EQC and also through
15 our Records Act and the Environmental Quality Act.

16 So those three in tandem cover, I think, what
17 OSM was looking for in this case, without upsetting the
18 apple cart too much; just referring them back to
19 statutes and procedures that were already in place.

20 The third one is a prime farmland exemption
21 that we had. And this took small acreages of prime
22 farmland and removed them from the performance
23 standards for reclamation.

24 In this case, there isn't a whole lot of
25 prime farmland in Wyoming, so it should be a fairly

1 moot point. The performance standards would still be
2 in place and this small acreage exemption is just being
3 removed.

4 I think back in '92 or so we had responded
5 that we would remove that from our program but it never
6 was removed. So this would just be one to clean up at
7 this point.

8 And the final one is related to design
9 standards for impoundments.

10 The first deficiency that they noted was that
11 we couldn't have or couldn't use single closed-conduit
12 spillways, and also updates the design precipitation
13 events which are associated with those.

14 The second one is revising standards and the
15 design precipitation events again, related to
16 impoundment structures that are intended to impound
17 coal mine waste and that also meet the criteria of 30
18 CFR 77.216(a). And that -- 30 CFR is our equivalent of
19 a major impoundment. It's the same structures that
20 we're talking about. We use the term "major
21 impoundment" and we also reference this section of the
22 rules in our regulations. So hopefully they're
23 dovetailed together somewhat.

24 And that should be the four changes. Pretty
25 simple, but something that we thought we could clarify

1 some of these deficiencies and get them off the books.

2 we initially had an effort, back in the '80s,
3 to put together a list -- or maybe the early '90s -- of

4 all of the deficiencies that have come through over
5 time, be it 732 letters that were codified. That list
6 totaled I think 120 some line items that they had in
7 there that we were required to fix. I believe we're
8 down in the 40s or 50s, somewhere in there.

9 These particular ones in this Rule Package
10 were kind of oddballs and just didn't really fit into a
11 group anywhere, so they were just put together as a
12 miscellaneous package. And that's what brings us here
13 today.

14 Now, I thought after that intro we could go
15 through the actual rule language. And what I'll be
16 working off of is the Statement of Reasons that was
17 provided. Any changes we decide on today will be
18 plugged into the actual chapter. But the working file
19 is generally that Statement of Reasons.

20 (Whereupon, there was a brief pause in
21 the proceedings.)

22 MR. HULTS: The Rule Package itself
23 contains a bit of an introduction, a little more
24 clarification on why we're making these changes, a
25 small summary of the changes, and then gets into the

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1 actual language.

2 The first change we had was to Chapter 2,
3 Section 2(a)(i)(B). And here again, that was -- all I
4 did was add in the names, addresses and telephone
5 numbers of any operators if different from the
6 applicant. That was the deficiency that they noted.

7 I also added the telephone numbers for the
8 various other people that are listed in there;

9 principal agents, officers, shareholders.

10 And so I'm hoping that will cover the
11 deficiency. Pretty straightforward.

12 Any discussion on that one?

13 (Whereupon, there was a brief pause in
14 the proceedings.)

15 MR. HULTS: Hearing none, I can move on.

16 The second change -- again, this was Chapter
17 2, Section 2(a)(vi)(R). Again, this was dealing with
18 cultural and historic and archaeological resources.

19 The language that was added was that we had
20 initially sent this in to address a deficiency -- I
21 believe that was in -- I want to say '88. When this
22 was reviewed, as part of the Federal Register, they
23 said we had addressed the fact that we needed to place
24 some of these materials outside of a confidential -- in
25 a confidential area, so they wouldn't be submitted as

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1 part of the application materials.

2 what we've added was that this
3 information needs to be clearly labeled as
4 confidential, submitted separately -- just to clarify
5 that point -- and requests to disclose confidential
6 information are going to be administered under the
7 Department of Environmental Quality Rules of Practice
8 and Procedure, the Wyoming Public Records Act, and the
9 Environmental Quality Act.

10 Each of these touch on specific areas of
11 confidential records. The Practice and Procedure
12 outlines areas where there is notice and opportunity to

13 be heard. And it labels some of those and identifies
14 those. The Public Records Act -- again, that lays out
15 some of the -- the procedures that are available if
16 somebody wants disclosure or is opposing disclosure of
17 information. The Environmental Quality Act also
18 touches a bit on confidential procedures, too.

19 so those will be tied in and wrapped in and
20 hopefully that will address this deficiency, as well.

21 Open to discussion on this, as well.

22 (Whereupon, there was a brief pause in
23 the proceedings.)

24 MR. LINFORD: Any comments? Okay.

25 Proceed.

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1 MR. HULTS: This third change here was that
2 prime farmland exemption that we had. And basically,
3 the language was just struck out. We had in there
4 that small acreages of prime farmland which the
5 administrator, in consultation with the conservation
6 districts, would be exempt from reconstruction
7 standards. However, as this was labeled as a
8 deficiency and prime farmland isn't a big concern
9 here in this case, that language was just struck out.
10 And hopefully that will satisfy this deficiency, as
11 well.

12 MR. LINFORD: Comments? Questions?

13 (Whereupon, there was a brief pause in
14 the proceedings.)

15 MR. LINFORD: Proceed.

16 MR. HULTS: And this final one -- which
17 apparently we do have comments on -- this one was

18 added in response to OSM stating that we couldn't use
19 the single channel closed conduit for -- which ones
20 are these -- for temporary impoundments.

21 In Subsection (L) we added that language,
22 that temporary impoundments shall include either a
23 combination of the principal and emergency spillways.
24 And what this language tried to do is mimic, as
25 much as possible, the OSM language.

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1 Part of the problem is, over time, there was
2 a distinction between temporary and permanent
3 impoundments. That has since passed in the OSM eyes.
4 It's a matter of the level of damage that could incur
5 if an impoundment was to breach or that sort of -- it's
6 more of a danger standard; what's the possible outcome
7 if this thing was to breach.

8 So our rules -- without going into too much
9 change and trying to clean this up too much -- it was
10 decided that we would just add these specific areas
11 that we wanted to address, to touch on the deficiencies
12 more than anything.

13 I know some of the other applicable standards
14 are kind of scattered throughout the chapter. But I
15 believe these are what we want to address.

16 We also added that for spillways on temporary
17 impoundments that meet the major impoundments or the 30
18 CFR, that design standard would be the hundred year,
19 six-hour precipitation event.

20 And then temporary impoundments -- this is
21 (B) -- which met the criteria of 30 CFR 77.216(a) and

22 are intended to impound coal mine waste -- those need
23 to be designed to meet the probable maximum
24 precipitation of a six-hour precipitation event.

25 Those were the changes that were made in this

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1 area.

2 And I know there are some comments, so we can
3 go from there.

4 MR. LINFORD: Matt, do you want to address
5 your letter?

6 MR. GRANT: Thank you, Mr. Chairman and
7 Members of the Advisory Board.

8 My name is Matt Grant. I'm from the Wyoming
9 Mining Association.

10 I have everyone a letter that has the
11 comments that I'll be making. I'm gonna start here on
12 the second paragraph.

13 WMA strongly supports LQD's efforts to keep
14 the Wyoming program in compliance with OSM regulations
15 and we agree with all but one of the proposed changes.
16 WMA believes that the proposed wording in the change
17 dealing with the design standards for single closed
18 conduit spillways for impoundments may now imply that
19 all temporary impoundments must have spillways.
20 Current practice throughout the Wyoming coal program
21 allows temporary impoundments to be constructed without
22 a spillway if it is designed to completely contain all
23 runoff from the design precipitation event and the mine
24 has adequate equipment to safely remove the stored
25 water if necessary.

1 The OSM rules break up the performance
2 standards for impoundments into three sections. The
3 first section lists "General Requirements"
4 (30 CFR 816.49(a)). It is this section, which applies
5 to all impoundments (temporary and permanent) that
6 Wyoming received a deficiency. Therefore, we recommend
7 that the proposed rule at Chapter 4, Section
8 2(g)(iv)(L) be revised by deleting the first word in
9 the sentence, "Temporary." With the change, the
10 proposed rule would now correspond to the federal
11 requirement.

12 However, it would now logically be
13 interpreted that all impoundments must have a spillway.
14 The OSM rules deal with this by then specifying
15 requirements for specific standards for "Permanent
16 Impoundments" and then "Temporary Impoundments". It is
17 this section on temporary impoundments of the OSM rules
18 which specifically allows the regulatory authority to
19 approve a temporary impoundment without a spillway.

20 Therefore, since the intent of the proposed
21 LQD rule change was to simply prohibit the use of
22 single closed conduit spillways and not to require that
23 all impoundments -- all temporary impoundments must
24 have a spillway, we recommend that Wyoming add a
25 counterpart rule to 30 CFR 816.49(c)(2) that would

1 continue the current practice in Wyoming of allowing
2 the construction of temporary impoundments without
3 spillways when specific design criteria are met. This

4 could be accomplished by simply adding a new section
 5 below the proposed revision at Chapter 4, Section
 6 2(g)(iv)(M): In lieu of meeting the requirements in
 7 Section (L) above, the administrator may approve a
 8 temporary impoundment that relies primarily on storage
 9 to control the runoff from the design precipitation
 10 event when it is demonstrated by the operator and
 11 certified by a qualified Registered Professional
 12 Engineer or qualified Registered Professional Land
 13 Surveyor that the impoundment will safely control the
 14 design precipitation event, the water from which could
 15 be safely removed in accordance with current, prudent,
 16 engineering practices. Such an impoundment shall be
 17 located where failure would not be expected to cause
 18 loss of life or serious property damage.

19 Thank you, members of the committee, for
 20 allowing me to make those statements.

21 Are there any questions? Thank you.

22 MR. LINFORD: Any questions?

23 MR. GREEN: If I might -- Bob Green. If I
 24 might, I do support WMA's distinction with the
 25 temporary impoundments.

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1 I can think of several examples on a minesite
 2 wherein you would have a large impoundment within the
 3 floor of the pit itself. That certainly is not -- if
 4 that overflows, it's certainly not going to render any
 5 damage outside the pit.

6 Similarly, there are impoundments that are
 7 utilized very temporary above the pit wall to stop
 8 water from coming into the pit. Those may last for a

9 week or two. And to me, if we were to require every
10 one of those to have a design spillway, oftentimes it
11 would probably take as long to design the spillway as
12 the impoundment would have a life.

13 So I feel that these recommendations are
14 reasonable and practical. And I did indeed take a look
15 at OSM's rules and regs, and they certainly do
16 correspond.

17 So I strongly support WMA's revisions.

18 MR. LINFORD: Thank you. Don, any comments
19 from you that you can see?

20 MR. MCKENZIE: Mr. Chairman, I can think of
21 another example. We oftentimes do have a -- sized
22 impoundments where a spillway wouldn't make sense.

23 MR. LINFORD: So this would -- this
24 proposed language then, that would leave a lot up to
25 you, to make that determination? Or the mine itself?

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1 MR. MCKENZIE: That would leave me the
2 ability to make a call depending on the specifics of
3 the design, as well as my district supervisors as my
4 agent.

5 MR. LINFORD: Okay. So you don't see any
6 problem with making this change?

7 MR. MCKENZIE: No.

8 MR. LINFORD: Joe?

9 MR. SLATTERY: I gotta agree with both Bob
10 and Don. Having been in the coal mine, there's
11 places where spillways wouldn't be needed.

12 MR. DEMSHAR: I guess when I look at the

13 language I don't have any real issue with it.

14 I would certainly agree with Mr. Green, that
15 you could spend as much time designing a spillway and
16 getting it in place as it would take to -- that might
17 Obe the life of the impoundment itself.

18 The question I would have for Bob is -- you
19 know, what are -- what is the frequency of these
20 temporary impoundments at a minesite? Is it a monthly
21 thing, or is it a -- is that a unfair question?

22 MR. GREEN: Well, I don't think there's a
23 set frequency. But it generally depends on the
24 topography --

25 MR. DEMSHAR: Okay.

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1 MR. GREEN: -- for one thing. Your -- your
2 pit advance, for another. The rate of the advance.

3 So it's dependent on a lot of factors.

4 MR. DEMSHAR: Okay.

5 MR. GREEN: But basically, there -- there
6 are simply short-term tools to manage the water.

7 MR. DEMSHAR: And if spillways were
8 required on temporary impoundments, that would
9 probably impede the use of it as a temporary tool to
10 manage water at a minesite.

11 MR. GREEN: Absolutely.

12 MR. DEMSHAR: Okay. Thank you.

13 MR. LINFORD: Any further comments?

14 (Whereupon, there was a brief pause in
15 the proceedings.)

16 MR. LINFORD: Okay. The Chair will
17 entertain a motion, then, to accept the proposed

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18 language as proposed by the mining association.

19 MR. GREEN: I would so move.

20 MR. LINFORD: Okay. It has been moved by

21 Mr. Green.

22 Is there a second?

23 MR. SLATTERY: I'll second.

24 MR. LINFORD: Seconded by Joe.

25 All in favor?

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1 (Whereupon, all voting members said

2 "aye".)

3 MR. LINFORD: Motion carried.

4 We will insert that as (M).

5 Now, do we need to change (L), to just delete

6 the word "temporary"?

7 MR. GREEN: Yes.

8 MR. LINFORD: Does that need another

9 motion?

10 MR. GREEN: I believe it's changed with the

11 changes in this letter. But I'd be glad to have a

12 second motion if you would like.

13 MR. LINFORD: Let's do, to keep it clean.

14 MR. GREEN: I would move that we remove the

15 term "temporary" from Subsection (L) and capitalize

16 "impoundments".

17 MR. LINFORD: Okay. Is there a second?

18 MR. DEMSHAR: Second.

19 MR. LINFORD: Seconded by Mr. Demshar.

20 All in favor?

21 (Whereupon, all voting members said

22 "aye".)

23 MR. LINFORD: Motion carried.

24 Craig?

25 MR. HULTS: That brings us to the end of

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1 the package. I will install that language and remove
2 the "temporary". And that was the end of the Rule
3 Package. And hopefully that will address some of our
4 remaining deficiencies.

5 MR. LINFORD: Okay. Now I believe then we
6 will approve this final package to go to Mr. Corra.

7 MR. MCKENZIE: We'll make that
8 recommendation and then proceed with a schedule.

9 MR. LINFORD: Do we need to make that in a
10 motion?

11 MR. MCKENZIE: I don't believe so.

12 MR. LINFORD: Okay. We've been working on
13 it for a long time. It will just go as is.

14 And when will they meet?

15 MR. MCKENZIE: Mr. Chairman, we still have
16 to schedule the prior Rule Package on the vegetation
17 standards. This was the topic of our conversation
18 January. I believe Craig is just about finished with
19 all of the changes that came up in our last board
20 meeting.

21 We're also working on what we're calling a
22 Super Guideline, to go along with that Rule Package.
23 And once we have that draft available -- which we
24 expect to be at the end of June -- then we will
25 approach the Department of Quality Council to schedule

1 on the vegetation standards rule package and this
2 particular package, this miscellaneous package.

3 I'm guessing it will fall into probably the
4 first quarter of 2009.

5 MR. HULTS: Yeah.

6 MR. LINFORD: Okay. Thank you.

7 MR. FLEISCHMAN: If I could --

8 MR. LINFORD: Yes, sir.

9 MR. FLEISCHMAN: If I could make a
10 suggestion, since this one seems very simple, if we
11 could lump this one in with the other package. I
12 don't know if that's asking too much or not.

13 MR. HULTS: It would be a bit difficult,
14 just because of the -- the way the packages are
15 structured.

16 MR. FLEISCHMAN: Okay.

17 MR. HULTS: We'd be sticking language
18 into -- and this may happen with this, too. Because
19 1-S dealt with Chapters 2 and 4. And this one does,
20 as well. So if any changes are made along the way --
21 I think this would be better to plug in with perhaps
22 maybe our valid existing rights, if we get that going
23 together. 1-S is just so huge that I think some of
24 this would be lost in there.

25 MR. FLEISCHMAN: Okay. That's fine.

1 MR. GIRARDIN: Excuse me. This is Joe
2 Girardin, with the EQC.

3 I'm actually going to push that they get

4 hooked together. Because the council's not going to
5 want to meet on such -- for simply this small of a
6 package. They are going to want to have more.

7 MR. HULTS: And that's what I would
8 suggest. I think we just have some topics, like
9 valid existing rights, which may be a smaller package
10 that would blend better with these.

11 MR. GIRARDIN: So you're saying bring more
12 packages in and submit them?

13 MR. HULTS: Oh, yeah. We have the veg
14 package. We've done a blasting package. We've done
15 this one now.

16 I think our next one scheduled is actually
17 coal mine -- or non-coal mine waste.

18 I think there is some smaller ones that would
19 blend better with this package, as opposed to the very
20 large rule packages. The vegetation one, that's 150
21 pages or more, just the Statement of Reasons. So I
22 think it would be easier to deal with this more
23 discretely and in tandem with a smaller package that
24 we've put together.

25 MR. GIRARDIN: I know that they have been

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1 frustrated with like Air Quality before, when they
2 submitted packages to just update their rules.

3 MR. HULTS: Sure.

4 MR. GIRARDIN: You know, to change the
5 dates in their rules.

6 MR. HULTS: Yeah.

7 MR. GIRARDIN: So I've already been
8 instructed to encourage that smaller ones be put in

9 with other ones.

10 MR. HULTS: And I believe that 1-S will be
11 more than enough in one sitting --

12 MR. GIRARDIN: Okay.

13 MR. HULTS: -- and then go from there.

14 MR. GIRARDIN: Okay.

15 MR. HULTS: I think we'll have enough of
16 these smaller ones that were perhaps more discrete
17 issues that can be stuck together a little more
18 easily as opposed to 1-S. I mean, that's been going
19 on for so many years that I just don't want to upset
20 that apple cart too much.

21 MR. GIRARDIN: The other concern is how
22 long the deficiencies have already been there.

23 MR. HULTS: Yeah.

24 MR. GIRARDIN: I know the council wants to
25 clear them up.

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1 MR. HULTS: Oh, yeah.

2 MR. GIRARDIN: So ...

3 MR. HULTS: I think the veg one deals with
4 close to 20 some deficiencies or more.

5 MR. GIRARDIN: Okay.

6 MR. FLEISCHMAN: Just from the OSM
7 standpoint, we really appreciate everybody in the
8 state working to get these things cleared up. I
9 inherited this mess, and it's -- you know, a personal
10 thing of mine to get this thing fixed so we can move
11 on and be just like every other state.

12 MR. MCKENZIE: Mr. Chairman, if I may?

13 MR. LINFORD: Yes.

14 MR. MCKENZIE: Joe, to respond to your
15 comments, I do appreciate your being here.

16 We have another Rule Package that we have yet
17 to get on the board in front of the council with
18 regards to our blasting standards. And I would hope
19 that a small package like this one we're speaking to
20 today, as well as the upcoming package which -- with
21 respect to solid waste -- we have a possibility of
22 combining those.

23 But I do agree with Craig that if we get
24 packages in front of council where we have changes in
25 the same chapters it does get a little confusing

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1 between the packages. what you are dealing with is
2 making a change on one Rule Package in that chapter
3 that may affect what we're trying to do in that other
4 Rule Package.

5 MR. GIRARDIN: Understand that.

6 MR. MCKENZIE: Okay. Thank you.

7 MR. LINFORD: Thank you.

8 Continuing with our agenda, any other items for
9 discussion? Don do you have --

10 MR. MCKENZIE: Mr. Chairman, just the
11 upcoming solid waste package that we need to schedule
12 for our next meeting, our suggested next rule
13 package.

14 MR. LINFORD: Location? Date for the next
15 board meeting?

16 MR. MCKENZIE: Mr. Chairman, I prefer this
17 location. I don't know if anyone else has a

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18 preference. But this facility is set up quite well
19 for our purposes, and I would recommend that we try
20 to schedule our next meeting here.

21 Two dates that I would like to have the board
22 consider would be July 14th or July 21st. Those are
23 Mondays.

24 MR. LINFORD: Have you checked with the
25 scheduling of this facility for those days?

□

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1 MR. MCKENZIE: I have not. I wanted to
2 make sure that the board was pleased with the
3 facilities before making a commitment.

4 MR. LINFORD: All right. I would prefer
5 the 21st.

6 MR. DEMSHAR: Works better for me, also.

7 MR. GREEN: Okay.

8 MR. LINFORD: Joe?

9 MR. SLATTERY: Yes.

10 MR. MCKENZIE: Thank you.

11 MR. LINFORD: 21st of July. Nine o'clock,
12 here?

13 MR. MCKENZIE: Yes. And Mr. Chairman, I'll
14 confirm that --

15 MR. LINFORD: Okay.

16 MR. MCKENZIE: -- once I get with the folks
17 that schedule the room.

18 MR. LINFORD: This is a great facility.
19 Kind of got lost in it, though. Kind of big for our
20 group. But we've had bigger numbers, so this will be
21 just fine.

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22 Anything else that we need to cover?

23 Motion to adjourn?

24 MR. DEMSHAR: So moved.

25 MR. GREEN: I'll second.

□

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1 MR. LINFORD: Okay. This meeting is
2 adjourned.

3 (Whereupon, the proceedings were
4 adjourned, at 10:05 a.m.)

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REPORTER'S CERTIFICATE

May 1, 2008

I hereby certify that the proceedings are
contained fully and accurately in the notes taken by
me, and that this is a correct transcript of the same.

Rebecca S. Doby
Registered Professional Reporter
Notary Public

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